

MINUTES OF THE MEETING FOR THE  
NEVADA STATE BOARD OF ATHLETIC TRAINERS (NSBAT)

DATE:           **May 15, 2014**

LOCATIONS:

University of Nevada Reno  
1664 N. Virginia Street  
National Judicial College  
Room #116  
Reno, Nevada 89557

University of Nevada Las Vegas  
4505 S. Maryland Parkway  
Classroom Building Complex  
Building B, Room 117  
Las Vegas, Nevada 89154

1. Meeting called to order by Chairman, Jim Porter at 9:16 a.m.

**Board Members Present:** Jim Porter, Tiffney Touton, Rob Conatser, Eathan O'Bryant, and Chris Wittorff.

**Staff Present:** Stacey Whittaker, Executive Secretary; Keith Marcher, Attorney General Representative via teleconference.

**Public Present:** No members of the public present in Las Vegas or Reno.

2. **Public Comments.** There are no members of the public present at this time.

3. **Review and approve minutes of meeting 1/30/2014. (For possible action)**

Jim asks if there are any questions or comments regarding the meeting minutes, there are none. Tiffney Touton motions to approve the 1/30/14 meeting minutes as written, Chris Wittorff seconds the motion. Approved 5-0.

4. **Update on disciplinary action reports and investigations of unlicensed activity. (For possible action)** Stacey reports no disciplinary action or reports of unlicensed activity during this quarter. There were 4 licenses issued or restored during the 1st quarter 2014. The board received a complaint regarding a student Athletic Trainer at a high school in Las Vegas who was wearing attire that identified her as an Athletic Trainer, in addition to working without the direct supervision of a Licensed Athletic Trainer. The board sent a certified letter to the Licensed Athletic Trainer at the high school to address the issue and they responded that they would remedy the situation immediately. In regards to the probationary license issued last fall, Stacey informs the board that they should be receiving an update regarding the probationary license this month and will report it at the next board meeting. There are no further questions or comments.

5. **Review and discuss proposed language submitted by the Nevada State Board of Athletic Trainers Subcommittee on Pharmaceuticals. (For possible action)** Jim informs the board that he met with Tedd Girouard and Steve McCauley to work on the proposed language and evaluate the current pharmacy laws. Jim reviews the proposed language with the board to include an amendment to NRS 639.0125 that includes Licensed Athletic Trainers in their language. The language also includes NAC640B.015 which would allow the Nevada State Board of Athletic Trainers to issue a certificate to Licensed Athletic Trainers permitting them to possess, administer and dispense over the counter pharmaceuticals, Epi-pen and emergency bronchial inhalers, if the board receives a standing order from a physician. NAC640B.016 would address a certificate for the possession of hypodermics, sharp tools and injectable to be used by a physician or direct physician extender. NAC640B.017 would address a certificate for LAT's to possess and administer iontophoresis and phonophoresis. Chris Wittorff asks how the board will issue certificates for these regulations. Jim says that the board would have to decide, the Licensed Athletic Trainers would have to apply for the certificate and have written approval from a physician. Jim reiterates that there would not be any testing involved, just documentation. Keith informs the board that if they are proposing a change to the Pharmacy Board language, they must contact them first. The board would then have to do a Bill Draft Request and put

before the Legislature in 2015. It would be a good idea to contact the Governor's Office to see if they will carry the bill or an individual Legislator. Keith recommends taking the language to the Pharmacy Board first and then to the Government.

Jim says that he will help to get the language on the legislative agenda but that he will no longer be with the board after September 2014. Rob feels that the wording looks great but wants to know if any other states have tried to do this. Jim says that he discussed it with several people at the BOC conference and did not know of any. He reminds the board that this potential language is being drafted because of a formal complaint the board received regarding this matter. Rob Conatser motions to approve the proposed language as written and have Stacey present it to the Pharmacy Board's General Counsel for review. The language would then go the Legislature and the board can move forward from there. Tiffney Touton seconds the motion. Approved 5-0.

**6. Review and discuss upcoming license renewal period including information obtained regarding online application system, the acceptance of credit cards by the Board, and system for updating wall certificates. (For possible action)** Stacey has received a rough estimate from two different agencies for implementing an online application system for the Board. The cost would range anywhere from \$10,000-\$18,000. The board agrees that this is completely out of the budget and not an option at this time. Stacey discusses the acceptance of credit cards for licensure fees and because the board cannot afford the online application system, all credit card entries would have to be manually entered which is a higher cost to the board. At 3.4% per transaction, the board would be losing money if they accepted credit cards. Keith advises the board that there was a bill passed in 2011 requiring all boards to accept credit cards unless it is impractical. Because of this, the board will need to contact the Interim Finance Committee and explain why they are not able to accept credit cards. Stacey will follow up with the Finance Committee and submit the necessary paperwork.

The board discusses the issue of wall certificates and whether or not the board should be issuing a new one each year in addition to the wallet cards. The board discusses revising the current wall certificates to include a license expiration date that can be updated each year. Tiffney asks if it would be more cost effective to issue a new wall certificate each year or send out stickers with the new expiration date on it. Stacey feels that the stickers would be more cost effective than printing new wall certificates each year. Rob Conatser motions for Stacey to send out new wall certificates with the license renewals this year that will be compatible with an expiration date sticker for the following years to come. Tiffney seconds the motion. Approved 5-0.

**7. Review and discuss whether the Nevada State Board of Athletic Trainers should require Licensed Athletic Trainers to report violations of the Board of Certification Standard of Practice to the Board. (For possible action)** Jim discusses how important it is that Licensed Athletic Trainers be mindful of violations of the practice act and the BOC standards. He feels it is imperative that violations be reported to both the board and the BOC. Jim recommends notifying the licensees of these expectations, Tiffney agrees that it is a good idea to make them accountable. Rob asks how the board would like to disseminate this information and feels that Licensed Athletic Trainers should already know this. The board asks Stacey to include a brief statement of such on both the NSBAT website and with the license renewal letters that go out this year. There are no further questions or comments.

**8. Review and discuss whether the Nevada State Board of Athletic Trainers should report all disciplinary action and loss of license to the National Practitioner's Data Bank. (For possible action)** Stacey informs the board that they are not currently reporting any statistics to the National Practitioner's Data Bank. Jim isn't sure if other boards are reporting but that the Board of Certification recommends all disciplinary action be reported to them. Keith says that most boards report to a national data bank and that our board should look into doing the same. It is a good mechanism to use when licensees are moving from state to state. Stacey will discuss this topic with other boards and look into the reporting standards for the next board meeting. There are no further questions or comments.

9. **Review and discuss sending a representative from the Nevada State Board of Athletic Trainers to the Council on Licensure, Enforcement & Regulation annual meeting in September, 2014. (For possible action)**

Rob asks Jim if this is something he has attended in the past, Jim says no, this is a counsel on regulation for multiple types of boards. The board feels that it would be more important to send a representative to the next Board of Certification Conference. Item will be tabled until the next meeting. There are no further questions or comments.

10. **Review and discuss financial status of the Board to include future investment amounts. (For possible action)** Jim asks if everyone has had a chance to review the financial statements. Stacey has been working with the Board's banking representative to determine a viable investment opportunity for the Board. Wells Fargo is currently working on this and will get back to us once they have determined a reasonable investment option that is suitable for a lower revenue agency. Stacey will report back to the Board at the next meeting. There are no further questions or comments.

11. **Review and discuss current terms for Board Members. (For possible action)** Stacey has been in touch with the Governor's Office regarding the board member position coming open in September. They have received two recommendations that the Governor's Office has reached out to but has not heard back from either applicant yet. Jim says that he will follow up with them and remind them to turn in the application. Stacey will continue to work with the Governor's Office throughout the next couple of months on this appointment. There are no further questions or comments.

12. **Future agenda items. (For possible action)**

- A. **Review and approve meeting minutes of 5/15/2014.**
- B. **Update on disciplinary action reports, probationary licenses and investigations of unlicensed activity.**
- C. **Review and discuss financial status of the Board and amount of money to put into annual investments.**
- D. **Review and discuss update on proposed language from the Subcommittee on Pharmaceuticals.**
- E. **Review and discuss update on reporting to the National Practitioner's Data Bank.**
- F. **Review and discuss sending a representative to the next Board of Certification Conference.**
- G. **Review and discuss any upcoming legislative action that may be required by the Board.**
- H. **Review and discuss results of 2014 license renewal period.**
- I. **Review and discuss current terms of Board Members and election of new Chairman.**

13. **Discussion, possible decision on date of next board meeting. (For possible action)** The next board meeting is scheduled for Thursday August 28<sup>th</sup>, 2014 at 9:00 a.m.

14. **Public Comments.** There are no members of the public present at this time.

15. **Meeting adjournment. (For possible action)** Rob Conatser motions to adjourn the meeting of the Nevada State Board of Athletic Trainers at 10:12 a.m., Tiffney Touton seconds the motion.  
Approved 5-0.